

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JOHN MICHAEL SNEED,

No. 3:15-cv-02048-SU

Petitioner,

v.

JAMIEL BROWN, et al.

ORDER

Respondent.

HERNANDEZ, District Judge:

Magistrate Judge Sullivan issued a Findings & Recommendation (#43) on December 6, 2017, in which she recommends the Court deny Petitioner's amended petition for habeas corpus and deny a certificate of appealability. Petitioner has timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th

Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Petitioner's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Sullivan's Findings & Recommendation [43], and therefore, Petitioner's Amended Petition for Habeas Corpus [9] is denied. Further, I decline to issue a Certificate of Appealability because Petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 5 day of Feb, 2018.

  
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MARCO A. HERNANDEZ  
United States District Judge